

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<b>JOSEPH WARD and JOHN ROLLAND,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 5:15-CV-103(MTT)</b>
	)	
<b>DIRECT SOUTH, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**ORDER**

The Plaintiffs filed this action to recover unpaid overtime compensation pursuant to the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201 *et seq.* (Doc. 1). The Defendant filed an answer, denying that it has violated the FLSA, as well as a counterclaim against Plaintiff Ward for fraud and misrepresentation. (Doc. 5). The parties engaged in discovery and moved the Court to approve a settlement agreement. (Doc. 15). After reviewing the settlement agreement, the Court ordered the parties to (1) file the settlement agreement or explain why it should not be filed; (2) explain why certain paragraphs should not be struck or do not preclude a finding that the settlement agreement is fair; and (3) supplement their motion with the information necessary to determine whether the settlement agreement is a fair and reasonable resolution of a bona fide dispute and whether the attorney's fees are reasonable. (Doc. 16).

In response, the parties have moved the Court to approve an amended settlement agreement. (Doc. 18). The parties have either struck or modified the paragraphs identified by the Court and have explained why their amended settlement

agreement represents a fair and equitable resolution of this matter. (Doc. 18). The Court finds that the attorney's fees are reasonable and that the settlement proposed "is a fair and reasonable resolution of a bona fide dispute over FLSA provisions." *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1355 (11th Cir. 1982). Accordingly, the motion (Doc. 18) is **GRANTED**. The Plaintiffs' claims against the Defendant and the Defendant's counterclaim against Plaintiff Ward are **DISMISSED with prejudice**.

**SO ORDERED**, this 5th day of February, 2016.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT